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Attorneys for Plaintiff
GARY E. AFFONSO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GARY E. AFFONSO

PLAINTIFF,

v.

METROPOLITAN LIFE INSURANCE
COMPANY; MORGAN STANLEY SMITH
BARNEY LLC (PLAN ADMINISTRATOR)

DEFENDANTS.

Case No.: 4:10-cv-05054 PJH

**[PROPOSED] ORDER RE STIPULATION
TO EXTEND TIME FOR PLAINTIFF TO
FILE A STIPULATION TO FILE FIRST
AMENDED COMPLAINT OR,
ALTERNATIVELY, MOTION FOR LEAVE
TO FILE FIRST AMENDED COMPLAINT**

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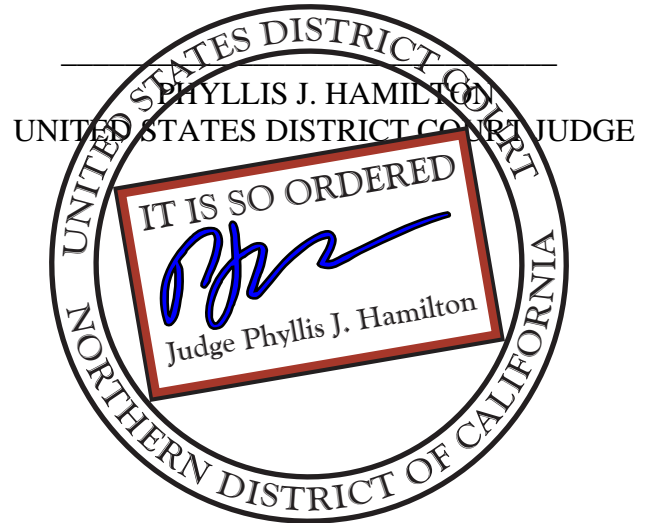
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1 IT IS SO ORDERED THAT:

2 The April 4, 2011 Stipulation the parties entered into through their respective attorneys of record
3 providing Plaintiff through Friday, April 8, 2011 to file a Stipulation to File Amended Complaint or,
4 alternatively, to file a Motion for Leave to File First Amended Complaint is GRANTED.

5
6 Date: 4/5/11



PROOF OF SERVICE BY ELECTRONIC SERVICE

I am employed in the County of San Francisco, State of California.

I am over the age of 18 and not a party to the within action; my business address is 1388 Sutter Street, Suite 820, San Francisco, California 94109.

On April 5, 2011, I served the foregoing documents described as:

**[PROPOSED] ORDER RE STIPULATION TO EXTEND TIME FOR PLAINTIFF TO FILE
A STIPULATION TO FILE FIRST AMENDED COMPLAINT OR, ALTERNATIVELY,
MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT**

on the interested parties in this action by causing said document to be transmitted using ECF and by placing true copies thereof enclosed in sealed envelope(s) addressed as follows:

Rebecca Hull, Esq.
Erin Cornell, Esq.
Sedgwick, LLP
One Market Plaza
Steuart Tower, 8th Fl
San Francisco, CA 94105-1008

Mark Boennighausen, Esq.
Law Offices of Steven A. Ellenberg
4 North Second Street, Suite 1240
San Jose, CA 95113

**ATTORNEY FOR DEFENDANT
MORGAN STANLEY**

**ATTORNEYS FOR DEFENDANT
METROPOLITAN LIFE INSURANCE
COMPANY**

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BY MAIL. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business.

☐

BY PERSONAL SERVICE. I caused to be delivered such envelope by hand to the offices of the addressee.

☒

BY ELECTRONIC MAIL. The parties to this action who have submitted their email addresses to the Court's Electronic Case Filing (ECF) system received the foregoing document electronically.

Executed April 5, 2011 at San Francisco, California.

☒

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

By /s/ Patrick Sacco

PATRICK SACCO